

a showerhead having a pivotable inlet, a water filter and the showerhead in a single ergonomically designed body. That is, that Applicant is the first to come up with a single body filtered showerhead that is compact, and takes up less space in a shower. This is opposed to the known shower filters, such as the primary reference to Ferguson, which must be placed between a shower arm and a separate showerhead.

The Examiner argued that the secondary reference to Elkins et al. (U.S. Patent No. 4,275,908) showed a showerhead having a pivotable inlet in combination with a filter, namely, the filter screen 24, shown in FIG. 4, and described in Column 3, line 5. The Examiner admitted that the filter was a screen, but that it showed the combination of a pivotable element and a shower filter. However, the Examiner did say that he would consider any arguments purposed by Applicant, or any amendments to the claims that pointed out different structure in Applicant's combination showerhead/filter.

Claims 1 - 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ferguson in view of Elkins et al. It was the Examiner's contention that Ferguson shows a shower filter having an annular filtration chamber, as recited, and that, therefore, the primary reference disclosed the claimed invention with the exception of the pivotable inlet, the type of spray outlet employed (claims 3, 7 and 12) and the shape of the inner walls (i.e., curved) at the upper end of the housing (claims 4, 7, 8 and 13). The Examiner also argued that Elkins et al. showed a showerhead in FIG. 4 having a pivotable inlet in combination with a filter, namely,

the filter screen element 24, and that it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the shower filter of Ferguson, with the pivotable inlet arrangement of Elkins et al., in order to enable the user to vary the spray direction of the primary reference device. Furthermore, the Examiner alleged that showerheads having a plurality of difference spray settings are notoriously well known, and that it would have been obvious to one of ordinary skill in the art at the time of the invention to employ such a conventional showerhead arrangement in the device of the modified primary reference, in order to vary the spray pattern of the water in this modified primary reference device. Additionally, the Examiner alleged that the exact shape of the upper inner walls of the modified primary reference device does not seem to materially effect the overall operation of this device, or to produce any new and unexpected result. And, therefore, that this was deemed to be obvious matter of choice in design insufficient to patentably distinguish the claims.

✓ Independent claims 1, 11 and 16 have been amended to point out that the showerhead has a single body containing a pivotable inlet, a shower filter and a shower spray outlet, and that the single body is comprised of a top hollow mating half having the pivotable inlet therein and a bottom hollow mating half having the shower spray outlet therein. The two hollow mating halves are also recited as forming an internal chamber with a water filter assembly having an annular chamber with a plurality of inlet openings and a plurality of exit openings and a filter media held in the annular chamber secured within the internal chamber.

✓ Finally, claim 1 calls for means in the internal chamber for directing flow of water from the pivotable inlet into the internal chamber, through the water filter and out of the shower spray outlet. Claim 11 specifically calls for baffle elements held in the internal chamber to direct the flow of water as recited in claim 1, and claim 16 calls for first and second baffle elements held in the internal chamber, as well as other structure not set forth in independent claims 1 and 11.

The primary reference to Ferguson discloses a water purification filter of a known type, which is coupled or inserted intermediate any conventional showerhead feed pipe and showerhead. That is, Ferguson discloses a separate shower filter 1 that must have a separate showerhead 8. See FIG. 1 and column 7, lines 5 - 8, wherein Ferguson specifically states that "the water exits the filtration device 1 and enters a showerhead 8, which is threadedly received onto the outlet part 60 of the chamber 50." Ferguson, therefore, lacks a single body or housing having a pivotable inlet, an internal chamber, a shower filter held in the internal chamber and a shower spray outlet.

✓ The secondary reference to Elkins et al. discloses a showerhead having a fluid coupler 10 pivotably mounted in a showerhead 18. No internal chamber having a water filter assembly with an annular chamber having a filter media therein is disclosed in Elkins et al. However, Elkins et al. does disclose a filter screen 24 in the showerhead. However, Elkins et al. does not have an internal chamber with a filter element having an annular chamber with filter media

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therein, and there is no teaching of how such an internal chamber and separate filter with media could be inserted therein.

Independent claims 1, 11 and 16 are believed to patentably define a unique filtered showerhead having a single body composed of two hollow halves that form an intermediate or internal chamber therein, which internal chamber holds a water filter having an annular chamber holding filter media within the showerhead. The upper half of the single body has a pivotable inlet opening formed therein, and the lower half of the single body has a shower spray outlet formed therein. No separate showerhead is needed with this device, nor is a separate water filter element needed. By specifically designing a device which holds a water filter inside an internal chamber and forming baffle elements, i.e., curved walls, within the mating halves so as to cooperate with the water filter to direct the flow of water through the filter media held in the filter element, a combination or single unit, compact showerhead and filter element having a pivotable inlet has been provided. Neither Ferguson alone nor Ferguson combined with Elkins et al. shows such a compact single body filtered showerhead.

✓ Therefore, Applicant has claimed a unique showerhead having a pivotable inlet with a replaceable filter element having filter media therein held in an internal chamber formed in a single body. No such device is shown by the art of record, or is known to Applicant. Therefore, independent claims 1, 11 and 16 are considered to define over the references of record and to be patentable. Claims 2 - 10 are dependent on independent claim 1, and add distinguishing features thereto, such

as the pivotable element being held in an annular housing portion recessed into a top portion of the top hollow mating half and being sealingly captured in the annular sealing member by a baffle element held between the central dividing wall formed in the water filter of claim 2. Claim 3 calls for the shower spray head to be a massage head with different spray positions. Claim 4 calls for first and second baffle means and curved inner walls. Claim 5 sets forth the position of an annular passage and an inner surface of the annular housing. While claim 6 calls for an annular groove in a second annular passage formed by inner walls of the annular chamber below a central dividing wall formed in the water filter and inner walls of the central cylindrical portion and a second baffle means. Claim 7, the specific internal structure of the top and bottom halves. Claim 8, a first annular passage. Claim 9, the inner surface of the annular housing portion. The structure of the internal passageways and walls of claim 10. Therefore, these dependent claims are felt to be allowable over the art of record herein.

Dependent claims 12 - 14 are dependent on independent claim 11 or an intervening claim, and are felt to add patentable subject matter therein, such as the internal structure of the water filter of claim 12, the internal structure of the device set forth in claim 13, and the internal structure of the device as set forth in claim 14.

Claim 17 is dependent on claim 16, and recites that the flow of water therein is directed by an annular groove formed in the bottom hollow half and the inner surface of the center cylindrical portion.

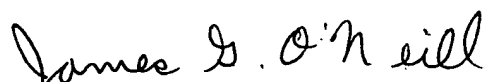
Therefore, all of the dependent claims are felt to be patentable, and should be allowable in this application.

Since all of the Examiner's rejections are now believed to be overcome by this Amendment, this application is felt to be condition for allowance, and an early indication thereof by the Examiner would be appreciated. If the Examiner, for some reason, does not agree with this, he is urged to call Applicant's attorney to work out mutually acceptable claim language, and/or to propose amendments which he believes would make any disputed claims allowable.

The other reference of record cited by the Examiner, but not applied to the claims, has been carefully considered by Applicant, but is not deemed pertinent to Applicant's invention, as claimed.

If the Examiner has any questions with regard to this Amendment, he is respectfully requested to contact Applicant's attorney at either the below-listed telephone number or facsimile number.

Very truly yours,


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